PUBLIC CHAPTER NO. 1141

HOUSE BILL NO. 583

By Representatives DuBois, Matheny, Jim Cobb, Coley, Campfield

Substituted for: Senate Bill No. 781

By Senator Bunch

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 13, relative to death threats.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 13, Part 1, is amended by adding the following as a new, appropriately designated section:

§ 39-13-114.

(a) For purposes of this section, "school" means any:

(1) Elementary school, middle school or high school;

(2) Technology center or postsecondary vocational or technical school; or

(3) Two-year or four-year college or university.

(b) A person commits the offense of communicating a threat concerning a school employee if:

(1) The person communicates to another a threat to cause the death of or serious bodily injury to a school employee and the threat is directly related to the employee's scope of employment;

(2) The threat involves the use of a firearm or other deadly weapon;

(3) The person to whom the threat is made reasonably believes that the person making the threat intends to carry out the threat;

(4) The person making the threat intentionally engages in conduct that constitutes a substantial step in

the commission of the threatened act and the threatened act and the substantial step when taken together:

> (A) Are corroborative of the person's intent to commit the threatened act; and

> (B) Occur close enough in time to evidence an intent and ability to commit the threatened act.

(c) Communicating a death threat concerning a school employee is a Class B misdemeanor punishable by a maximum term of imprisonment of thirty (30) days.

SECTION 2. This act shall take effect July 1, 2008, the public welfare requiring it.

PASSED: May 21, 2008

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JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

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RON RAMSEY, SPEAKER
SENATE OF THE SENATE

APPROVED this 13th day of June 2008

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PHIL BREDESEN, GOVERNOR